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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/692,412 10/20/2000 David F. Bush 04983.0206.CPUS01/38-21(1) 6988

28381 7590 10/08/2002

ARNOLD & PORTER  
IP DOCKETING DEPARTMENT; RM 1126(b)  
555 12TH STREET, N.W.  
WASHINGTON, DC 20004-1206

EXAMINER
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EINSMANN, JULIET CAROLINE

ART UNIT	PAPER NUMBER
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1634

DATE MAILED: 10/08/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.

***Requirement for Information under 37 CFR 1.105***

1. A telephone call was made on 8/22/02 to Milan Vinola to inform her that a further restriction requirement would be set forth as well as a requirement for information.
2. Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of this application.
3. In response to this requirement, please provide copies of each publication which any of the applicants authored or co-authored and which describe the disclosed subject matter of the claimed invention. In particular, please provide any information concerning the public disclosure of all or a portion of the SNP database for Arabidopsis described in the instant specification (see for example, Table A).
4. The posting to biotet.genome.arabidopsis USENET group by Chris Somerville refers to a datafile available at [www.arabidopsis.org](http://www.arabidopsis.org) as a set of five tab delimited files (posting provided in the IDS filed 11/16/01). The introduction page to this database indicates that the data were provided by Dr. Steve Rounseley, one of the inventors in this application (see web page print out therein). The examiner does not have access to this database, because she is not a member of an educational or non-profit organization. It is not clear from the usenet posting by Somerville or from the web page when the data were posted, however, the Somerville usenet posting was prior to the filing date of this application. In order for the examiner to evaluate the prior art, applicant is requested to provide the following information:
  - a. The date of the initial availability of the dataset, as well as the dates of any updates to the dataset.

- b. An explanation as to how the dataset provided on the website is related to the dataset provided in the instant specification. In particular, please indicate as to whether the dataset includes disclosure of the particular polymorphisms recited in the instantly pending claims, and if so, the date of availability of the disclosure of the particular polymorphisms recited in the claims.
- c. A description of the data provided in the dataset (i.e. Are polymorphism locations provided within a context? Are oligonucleotides for the amplification and/or detection of the polymorphisms provided, etc).

5. In responding to those requirements that require copies of documents, where the document is a bound text or a single article over 50 pages, the requirement may be met by providing copies of those pages that provide the particular subject matter indicated in the requirement, or where such subject matter is not indicated, the subject matter found in applicant's disclosure.

6. The fee and certification requirements of 37 CFR 1.97 are waived for those documents submitted in reply to this requirement. This waiver extends only to those documents within the scope of this requirement under 37 CFR 1.105 that are included in the applicant's first complete communication responding to this requirement. Any supplemental replies subsequent to the first communication responding to this requirement and any information disclosures beyond the scope of this requirement under 37 CFR 1.105 are subject to the fee and certification requirements of 37 CFR 1.97.

7. The applicant is reminded that the reply to this requirement must be made with candor and good faith under 37 CFR 1.56. Where the applicant does not have or cannot readily obtain

an item of required information, a statement that the item is unknown or cannot be readily obtained will be accepted as a complete reply to the requirement for that item.

8. This requirement is subject to the provisions of 37 CFR 1.134, 1.135 and 1.136 and has a shortened statutory period of TWO months. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

9. It is noted that applicants have filed a response to the office action mailed 4/24/02 containing amendments to the specification and traversal of the previously set forth rejections. The response filed 4/24/02 will be addressed in an office action following the receipt of applicant's response to this requirement for information.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Juliet C. Einsmann whose telephone number is (703) 306-5824. The examiner can normally be reached on Monday through Friday, from 9:00 AM until 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, W. Gary Jones can be reached on (703) 308-1152. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-4242 and (703) 305-3014.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0196.



Juliet C. Einsmann  
Examiner  
Art Unit 1634

October 2, 2002



W. Gary Jones  
Supervisory Patent Examiner  
Technology Center 1600